

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOSEPH BOLOGNA, et al.,

Plaintiffs,

v.

LAWRENCE S. KRASNER, TRACY
TRIPP, SGT. GERALD ROCKS
and THE CITY OF PHILADELPHIA,

Defendants.

CIVIL ACTION
NO. 24-3185

ORDER

AND NOW, this 25th day of June 2025, upon consideration of Defendant the City of Philadelphia’s Motion to Dismiss (Doc. No. 20), Plaintiffs’ Response in Opposition (Doc. No. 22), the City of Philadelphia’s Reply (Doc. No. 23), Defendants Lawrence Krasner, Esquire (“DA Krasner”), Tracy Tripp, Esquire (“ADA Tripp”) and Gerald Rocks’ (“Sergeant Rocks”) Motion to Dismiss (Doc. No. 41), Plaintiffs’ Response in Opposition (Doc. No. 42), and Defendant DA Krasner, ADA Tripp and Sergeant Rocks’ Reply (Doc. No. 43), the arguments of counsel for the parties at the hearing held on the Motions on March 6, 2025 (Doc. No. 48), Defendant the City of Philadelphia’s Supplemental Reply (Doc. No. 52), Plaintiffs’ Supplemental Opposition (Doc. No. 52), Defendants DA Krasner, ADA Tripp and Sergeant Rocks’ Supplemental Reply (Doc. No. 53), and in accordance with Opinion of the Court issued this day, it is **ORDERED** as follows:

1. Defendants DA Krasner, ADA Tripp and Sergeant Rocks’ Motion to Dismiss (Doc. No. 41) is **GRANTED** in part and **DENIED** in part. Plaintiff Joesph Bologna’s false arrest claim (Count I) and intentional infliction of emotional distress claim (Count III) are dismissed. Plaintiff Diana Bologna’s loss of consortium claim (Count IV) is dismissed. The malicious prosecution claim (Count I) and Monell claim (Count II) are not dismissed.

2. Defendant City of Philadelphia's Motion to Dismiss (Doc. No. 20) is **DENIED**.
3. Defendants shall file an Answer to the Complaint by **July 16, 2025**.

BY THE COURT:

/s/ Joel H. Slomsky
JOEL H. SLOMSKY, J.